

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of

Inventor(s)

for

Title of invention

the specification of which is being transmitted herewith

OR

In re application of: Mary M. DaRif and Barbara A. Merriman

Application No.: 10/ 026,041 Group No.: 3628

Filed: 12/21/01

Examiner:

For: PAINT COLOR CARD AND METHODS OF USING THE SAME

Assistant Commissioner for Patents  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

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CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

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(Information Disclosure Statement [8-1]—page 1 of 4)

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NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
  - (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or
  - (3) Before the mailing date of a first Office action on the merits, whichever event occurs last."
- 37 C.F.R. § 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13 -25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(b).

### List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections  
and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited  
and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
  - 7A. ☐ EPO Search Report
  - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☐ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections \_\_\_\_\_, respectively, have been continued on ADDED PAGE(S).

NOTE: "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

## **Section 1. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

**Section 10. Identification of Person(s) Making This Information Disclosure Statement**

The person making this statement is

(check each applicable item)

- (a) ☐ the inventor(s) who signs below

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
(type name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))


\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
(type name of inventor who is signing)

- (c) ☐ the practitioner who signs below on the basis of the information:

(check each applicable item)

- ☐ supplied by the inventor(s).  
☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))  
☐ in the practitioner's file.

  
\_\_\_\_\_  
SIGNATURE OF PRACTITIONER

Paul R. Katterle

\_\_\_\_\_  
(type or print name of practitioner)

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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
6962

In Re Application Of: Mary M. DaRif and Barbara A. Merriman

Serial No.  
10/026,041

Filing Date  
12/21/2001

Examiner

Group Art Unit  
3628

Title:

PAINT COLOR CARD AND METHODS OF USING THE SAME

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
6962

In Re Application: Mary M. DaRif and Barbara A. Merriman

Serial No.  
10/026,041

Filing Date  
12/21/2001

Examiner

Group Art Unit  
3628

PAINT COLOR CARD AND METHODS OF USING THE SAME

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(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

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Applicant(s): Mary M. DaRif and Barbara A. Merriman			6962
Serial No. 10/026,041	Filing Date 12/21/2001	Examiner	Group Art Unit 3628
Invention: PAINT COLOR CARD AND METHODS OF USING THE SAME			
I hereby certify that the following correspondence: <div>Transmittal of Information Disclosure Statement (Under 37 CFR 1.97(b) or 1.97(c)) (in duplicate), an Information Disclosure Citation - Form PTO-1449, and references</div> <p>(Identify type of correspondence)</p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on</p> <p><u>March 20, 2002</u> (Date)</p> <div>Laurie M. Feltes (Typed or Printed Name of Person Mailing Correspondence)</div> <div><u>Laurie M. Feltes</u> (Signature of Person Mailing Correspondence)</div> <div>EV 091965838 US ( "Express Mail" Mailing Label Number)</div>			
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